

Message Text

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14

ORIGIN AEC-11

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FM SECSTATE WASHDC

TO USMISSION IAEA VIENNA

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E.O. 11652: N/A

TAGS: IAEA, TECH, AS

SUBJ: AUSTRALIAN PROTOCOL FOR SUSPENSION TRILATERAL
SAFEGUARDS AGREEMENT

REF: VIENNA 7224

1. AS MISSION AWARE, GOA HAS PROPOSED IN DRAFT PROTOCOL FOR SUSPENSION TRILATERAL SAFEGUARDS AGREEMENT, WHEN AUSTRALIAN NPT SAFEGUARDS AGREEMENT BECOMES EFFECTIVE, THAT U.S. AND IAEA BE SATISFIED UNDER PARA 14 (A) OF INFCIRC/153 BY SUBSTITUTION FORMULA. IN MEETING WITH AUSTRALIANS NOV. 21, THEY INDICATED GOA WOULD ACCEPT LANGUAGE ALONG LINES U.S. HAS USED IN OTHER PROTOCOLS BUT WOULD WANT SEPARATE LETTER STATING USG WOULD ACCEPT SUBSTITUTION AS MEETING REQUIREMENTS OF THE ARTICLE. THEY ALSO STATED THAT THEIR SUBSTITUTION PROPOSAL IS ACCEPTABLE TO THE AGENCY FOR THIS PURPOSE.

2. MISSION REQUESTED TO ASCERTAIN WHETHER AGENCY HAS MADE SUCH A DECISION AND, IF SO, WHETHER THIS IS METHOD TO BE USED BY AGENCY IN ALL CASES.

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EM USG IS STILL CONSIDERING ITS POSITION ON THIS. FYI ON
OTHER POINTS IN PROTOCOL, AUSTRALIANS INDICATED (1) DESIRE
TO USE PREAMBLE IN AUSTRALIAN DRAFT, (2) DESIRE TO
USE PARA 1 THEIR DRAFT WHICH SUSPENDS APPLICATION ONLY IN
AUSTRALIA AND DELETES WORDS "TO THE EXTENT THAT" WHICH
APPEARED IN U.S. DRAFT, (3) WILLINGNESS TO DROP PARA 2
AND 3 THEIR DRAFT WHICH PERTAIN TO APPLICATION BILATERAL
SAFEGUARDS, (4) IN ADDITION HANDLING ART, 14(A) PROBLEM
AS DESCRIBED ABOVE, THEY EXPRESSED DESIRE THAT U.S. ALSO
EXTEND ACCEPTANCE SUBSTITUTION CONCEPT TO GUARANTEE
PROVISION OF AGREEMENT FOR COOPERATION WHICH REQUIRES
USG APPROVAL FOR EXPORT OF MATERIAL TRANSFERRED TO
AUSTRALIA UNDER THE AGREEMENT. END FYI. RUSH

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